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## OFFICE OF PUBLIC INSTRUCTION

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Linda McCulloch  
Superintendent

DATE: September 6, 2006

TO: Local Educational Agencies (LEAs)

FROM: Christine Emerson, Director  
School Nutrition Programs

SUBJECT: Competitive foods and foods of minimal nutritional value

The term "competitive foods" refers to *foods and beverages that are offered at school, other than meals and snacks served through the federally reimbursed school lunch, school breakfast, and afterschool snack programs*. Competitive foods include extra foods and beverages sold in "a la carte" lines, snack bars, student stores, vending machines, and fundraisers (where school organizations sell food items to raise money).

Competitive foods are different from "foods of minimal nutritional value." "Foods of minimal nutritional value" are prohibited from being sold during serving times or in serving areas of schools participating in the USDA's School Nutrition Programs. Soda pop is considered by the USDA to be a "food of minimal nutritional value." If the school has vending machines in the serving area that contain "foods of minimal nutritional value," they **must** be turned off during the lunch period, filled with acceptable items (sports drinks, 100% juice, or water), or removed from the meal service area. Please see the enclosed documentation for further information on "foods of minimal nutritional value."

As the school district is forming its school wellness policy, it should address the kinds of foods sold in the school that are in competition with the School Nutrition Programs. Research has shown that access to competitive foods in school reduces the quality of students' diets. Competitive foods are not required to meet federal nutrition standards and are generally low in nutrients, high in fat and/or sodium, or high in sugar. Sales of competitive foods decrease school meal participation, which results in less cash and commodity support provided to the school.

The USDA's regulations on this matter stipulate only that competitive food may, at the discretion of the School Food Authority (SFA), be sold in food service areas during the meal period only if all of the income from the sale of these foods accrues to the benefit of the non-profit school food service, the school, or school-approved student organizations. The SFAs may, at their own discretion, impose additional restrictions on the sale of and income from all foods sold at any time. Local policy decisions concerning competitive food sales will show whether the school's priority lies with encouraging good eating habits or profiting from the sale of low nutritional value foods.

*"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."*

In addition to the wellness policy required by the 2004 Child Nutrition Reauthorization Act, the 2003 Montana Legislature passed Senate Joint Resolution Number 2 in support of healthful nutrition and physical activity environments in schools. This resolution shows the State of Montana's support for schools that take steps to make their environment a healthful place for students.

If competitive foods are sold during meal periods, School Nutrition Programs encourages schools to sell healthful choices rather than foods loaded with fat, sodium, and sugar. The ultimate goal of the School Nutrition Programs is to contribute to the ability of children to learn and improve their lifelong eating habits for a healthy future, and encourage schools to adopt local policies that contribute to the same.

Please visit [www.opi.mt.gov/schoolfood/wellness.html](http://www.opi.mt.gov/schoolfood/wellness.html) for more information on competitive foods and their impact on children's health and wellness policy requirements. For suggestions of healthy food items to be sold in fundraising efforts, check out "All it Takes is Nutrition \$EN\$E" at <http://www.opi.mt.gov/schoolfood/nutritionsense.htm>.

The Office of Public Instruction encourages you to share this memorandum with policy makers at your school. If you have questions please contact School Nutrition Programs at (406) 444-2501.